

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Case Number: 04-10246-PBS

UNITED STATES OF AMERICA)
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SHAWN TODD)
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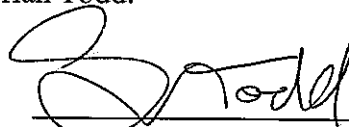
WAIVER OF RIGHT TO SEPARATE COUNSEL

I, Shawn Todd, have been advised by Judge Saris of some of the risks confronted where defendants in the same trial are represented by the same counsel. I have discussed these risks with my counsel and understand the nature of those risks. I have been further advised by the court that I have an absolute right to retain separate counsel, or if financially qualified, to have separate counsel appointed by the court and paid for by the government. These disclosures have been presented to me by Judge Saris on multiple occasions but in particular on the following two dates:

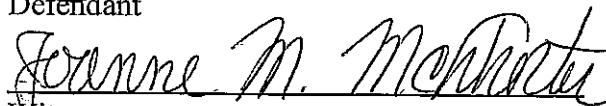
1. June 23, 2005 at a Pre-Trial Hearing after inculcating grand jury testimony had been disclosed to myself and my attorney by AUSA Donald Cabell.
2. July 21, 2005 at a Final Pre-Trial Hearing during an in camera discussion with Judge Saris.

Being fully aware of the possible risks where defendants are jointly represented and of my right to separate counsel, I nevertheless choose to proceed being represented by Scott F. Gleason who also represents my brother Brian Todd.

Dated: 7/26/05

 7/26/05

Defendant



Witness

